

## SPE RESPONSE FOR CERTIFICATE OF CORRECTION

**Paper No.:** \_\_\_\_\_

**DATE** : Dec. 28, 2005

**TO SPE OF : ART UNIT 1621 (Johann Richter)**

**SUBJECT** : Request for Certificate of Correction on Patent No.: 6,924,391

**A response is requested with respect to the accompanying request for a certificate of correction.**

**Please complete this form and return with file, within 7 days to:**

**Palm location 7580, Certificates of Correction Branch – South Tower – 9A22**

**If response is for an IFW, return to employee (named below) via PUBSCofC Team in MADRAS.**

With respect to the change(s) requested, correcting Office and/or Applicant's errors, should the patent read as shown in the certificate of correction (COCIN)? No new matter should be introduced, nor should the scope or meaning of the claims be changed.

**Please see the claims, Amdt. dated 10/7/04, the NOA, and the cert. of correction. Your denial or approval decision is needed below.**

**Thank You For Your Assistance**

sp STACY POWELL  
**Certificates of Correction Branch**  
**Tel. No. 703-308-9390 x120**

**The request for issuing the above-identified correction(s) is hereby:**

Note your decision on the appropriate box.

☒ **Approved**

**All changes apply.**


☐ **Approved in Part**

**Specify below which changes do not apply.**

☐ **Denied**

**State the reasons for denial below.**

**Comments:**

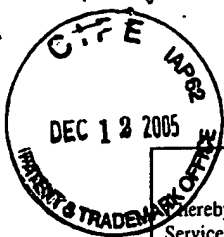
  
JOHANN RICHTER  
REGISTERED PATENT EXAMINER

~~JOHANN RICHTER~~  
~~SUPERVISORY PATENT EXAMINER~~  
~~GROUP 12~~

1621  
Art Unit

**SPE**

**Art Unit**



Attorney Docket Number: QA211

CERTIFICATE OF MAILING

Hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Loriann Kazmercyk  
Type or print name

[Signature]  
Signature

Dec 8, 2005  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

BANVILLE ET AL.

APPLICATION NO: 09/848,694

(now U.S. Pat. 6,924,391) B2

FILED: MAY 3, 2001

FOR: ALPHA-AMINO, -THIO, -OXO SUBSTITUTED KETONES AS  
PHOSPHOLIPASE INHIBITORS

**Certificate  
DEC 15 2005  
of Correction**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
ATTN: Decision and Certification Branch of Patent Issue Division

REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 C.F.R. 1.322

Sir:

The above patent application Serial No. 09/848,694 issued as U.S. Pat. No. 6,924,391 on August 2, 2005. Applicants hereby request a certificate of correction for the errors set forth on form PTO/SB/44 attached hereto as Appendix A. Remarks regarding the corrections are set forth below on pages 2-4.

DEC 16 2005

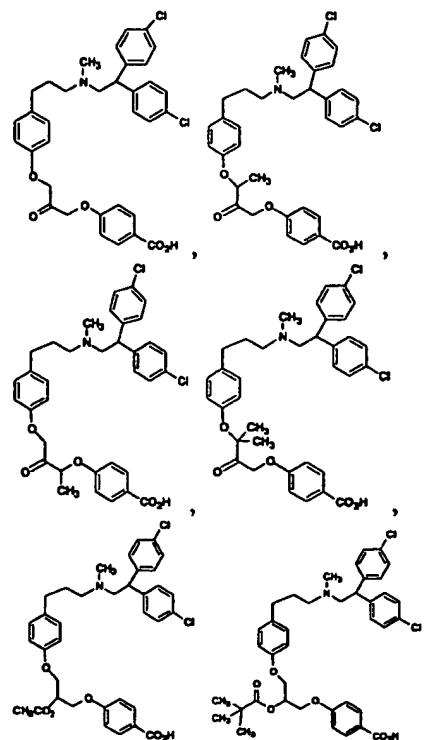
### REMARKS

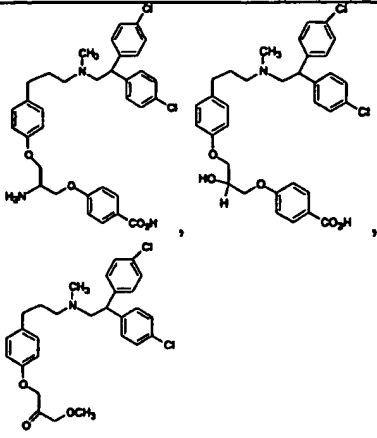
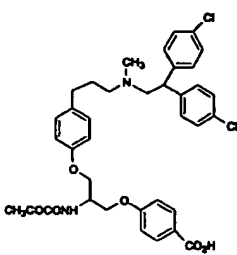
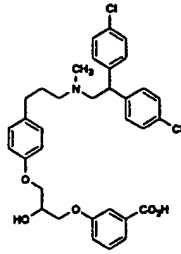
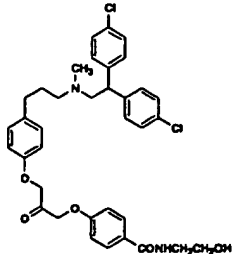
For the USPTO's convenience, Applicants have attached the following appendices:

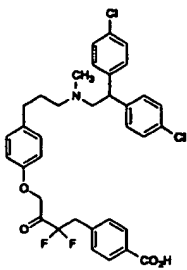
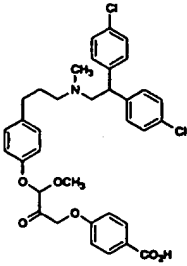
- A completed form PTO/SB/44 listing all the corrections sought to be made herein (Appendix A).
- Copies of the Office Action mailed July 8, 2004, the Amendment filed October 7, 2004 and the Notice of Allowance (Appendix B).

Each of the errors, depicted in Table 1, occurred through the fault of the USPTO, for which correction is sought under 37 C.F.R. 1.322. Applicants submit these corrections present no new matter and do not require further examination. Remarks regarding each of the corrections follow the Table.

**Table 1**

Error Number	Column and Page	Error	Correction
1	Col. 119, line 2	Numerous compounds are missing from claim 1.	<p>After "A compound selected from", the following formulae should be added:</p> 

			
2	Col. 119, lines 45-65	The structure is incorrect	<p>Replace the printed structure with the following:</p> 
3	Col. 120, lines 25-45	The structure is incorrect	<p>Replace the printed structure with the following:</p> 
4	Col. 122, lines 25-45	The structure is incorrect	<p>Replace the printed structure with the following:</p> 

5	Col. 122, lines 45-65	The structure is incorrect	Replace the printed structure with the following:  
6	Col. 125, lines 20-40	The structure is incorrect	Replace the printed structure with the following :  

In Error 1, nine compounds were omitted from claim 1. These compounds were allowed in claim 11 of Applicants' Amendment dated October 7, 2004.<sup>1</sup> Applicants submit that the nine unmarked compounds shown on page 10 of the Amendment have been omitted from claim 1 of the patent and should be added to the claim following the text "A compound selected from."

Errors 2-6 consist of five structures incorrectly printed. All are USPTO mistakes. This is apparent in comparing the structures found on pages 11-12 of Applicants' Amendment with the printed patent.

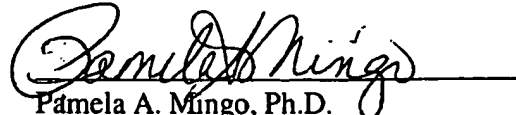
As each of the mistakes made are the fault of the USPTO, Applicants believe no fees are required. If a fee is deemed to be required, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 19-3880. The USPTO is requested to kindly contact the undersigned if deemed appropriate to expedite this request.

<sup>1</sup> On page 3 of the Office Action, mailed July 8, 2004, the Examiner states that "Claim 11 will be allowed to the extent it reads on the elected subject matter. Compounds containing Silicon and heterocyclic subject matter should be deleted." As shown on pages 9-13 of Applicants' Amendment, claim 11 was amended to remove silicon and heterocyclic subject matter which reflected the scope of the generic concept of the elected subject matter. On page 2 of the Notice of Allowance, the Examiner states that "specific compounds of claim 11 are now claimed, along with the pharmaceutical composition. These compounds do not read on the above reference and hence are patentable."

US Pat. No. 6, 924,391 (application Serial No. 09/848,694)  
Attorney Docket Number: QA211

Respectfully submitted,

Bristol-Myers Squibb Company  
Patent Department  
P.O. Box 4000  
Princeton, NJ 08543-4000  
(203) 677-7669

  
Pamela A. Mingo, Ph.D.  
Agent for Applicant  
Reg. No. 48,256

Date: December 8, 2005



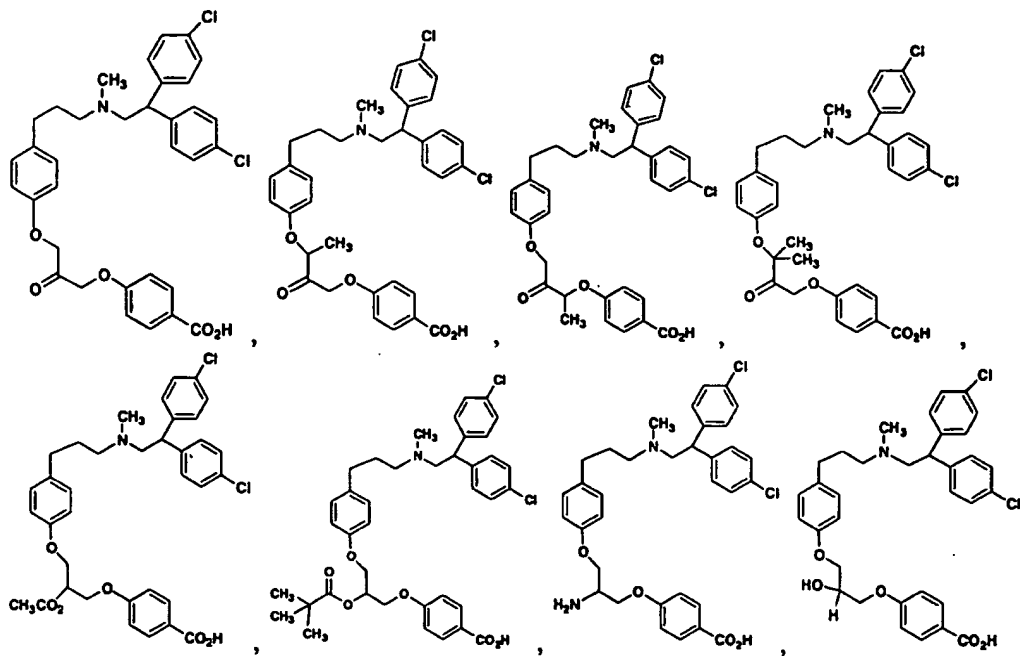
## APPENDIX A

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO : 6,924,391 *B2*  
 DATED: : August 2, 2005  
 INVENTOR(S) : Jacques Banville, Roger Remillard, Neelakantan Balasubramanian, Gilles Bouthillier, Alain Martel

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Col. 119, line 2, after "A compound selected from", the following formulae should be added:



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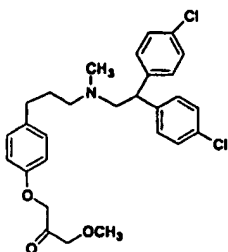
PATENT NO. 6,924,391



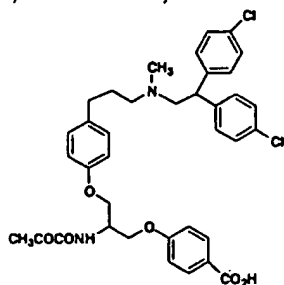
UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO : 6,924,391 *B2*  
DATED: : August 2, 2005  
INVENTOR(S) : Jacques Banville, Roger Remillard, Neelakantan Balasubramanian, Gilles Bouthillier, Alain Martel

(Continued)



Col. 119, lines 45-65, the formula should appear as follows:



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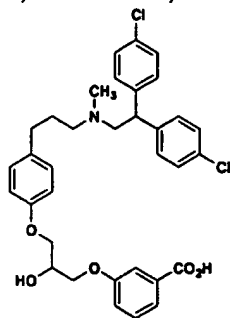
PATENT NO. 6,924,391

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

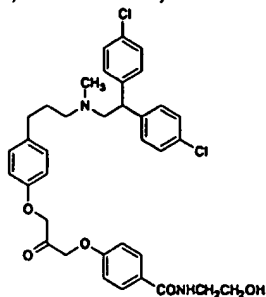
PATENT NO : 6,924,391 *B2*  
 DATED: : August 2, 2005  
 INVENTOR(S) : Jacques Banville, Roger Remillard, Neelakantan Balasubramanian, Gilles Bouthillier, Alain Martel

(Continued)

Col. 120, lines 25-45, the formula should appear as follows:



**Col. 122, lines 25-45, the formula should appear as follows:**



MAILING ADDRESS OF SENDER:

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**Bristol-Myers Squibb Company**  
**Patent Department**  
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**Princeton, NJ 08543-4000**  
**(203) 677-7669**

PATENT NO. 6,924,391

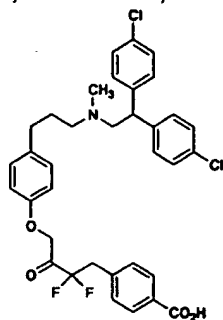
Page 3 of 4

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

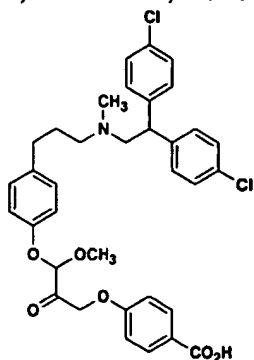
PATENT NO : 6,924,391 *B2*  
DATED : August 2, 2005  
INVENTOR(S) : Jacques Banville, Roger Remillard, Neelakantan Balasubramanian, Gilles Bouthillier, Alain Martel

(Continued)

Col. 122, lines 45-65, the formula should appear as follows:



Col. 125, lines 20-40, the formula should appear as follows:



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PATENT NO. 6,924,391